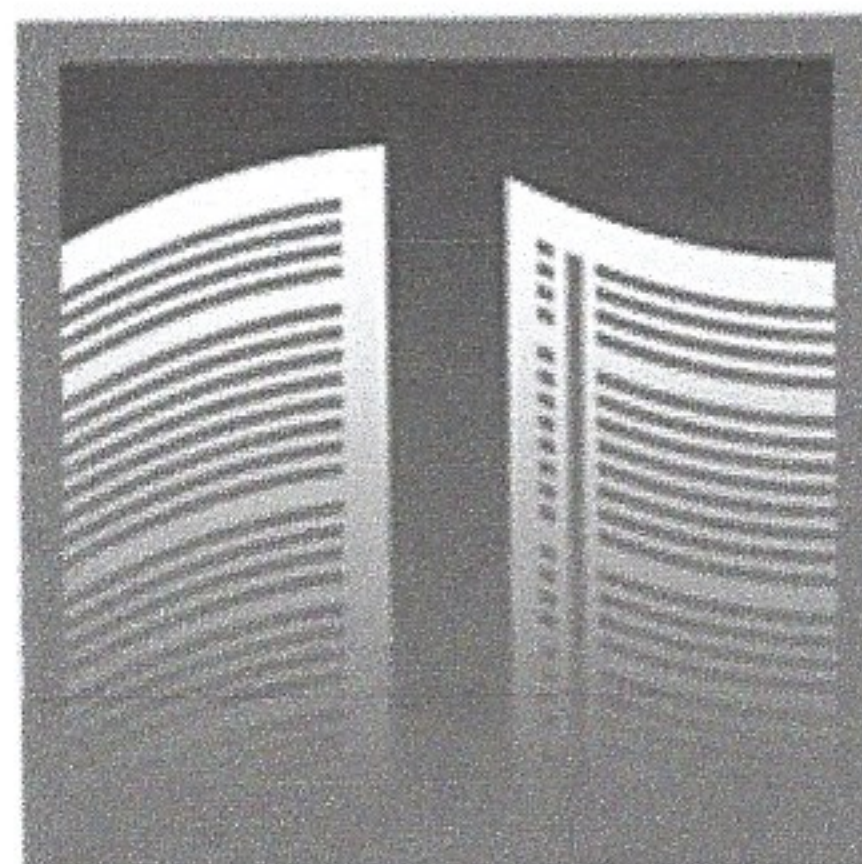


In the Matter Of:

LACAZE LAND DEVELOPMENT, LLC, vs DEERE & COMPANY INC., ET AL,

STEVEN WIENKES

December 10, 2020



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1 able to access the data link and see any diagnostic
2 trouble codes?

3 **A. Yes.**

4 Q. That were presently active?

5 **A. Yes.**

6 Q. Does the machine also store those data codes as
7 time goes on, or does it erase it as it sends more
8 data to the cloud?

9 **A. I don't know for sure whether the machine saves it
10 itself or it stores it in a different source.**

11 Q. Okay. But, in any event, it's recorded in the --
12 in a form that you can then show according to the
13 data and data V2 files?

14 **A. Yes. It is available if that's what you're asking.**

15 Q. Yeah. All right. So photograph 22 shows -- and do
16 you see what I'm talking about, sir, these file
17 names have a number at the end?

18 **A. Yes, sir.**

19 Q. Do you see it on my shared screen?

20 **A. Yes, I do.**

21 Q. Okay. Good. Is the 899.6 hours that we show in
22 photograph 22 remarkable with regard to the age of
23 this machine and the use of it?

24 **A. I would say not.**

25 Q. All right. 23 shows the same thing. Is 24 the

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1 say the causation of the repairs --

2 A. Right.

3 Q. -- and then you don't qualify that saying other
4 than, for example, repair having to do with this or
5 repair having to do with that.

6 So you're saying in your report the causation
7 are the results of improper maintenance and failure
8 to operate. So considering that, my question to
9 you is which one of the repairs, if any, were not
10 caused by improper maintenance and failure to
11 operate according to the manufacture's instructions
12 as stated in paragraph 4? Which ones were not.

13 A. The only ones that could -- that may not have been
14 were that there was a turbo hose that was replaced.
15 There was a switch or two replaced.

16 That may not have been directly related to it.
17 But when I refer to it as possibly being related is
18 when you run a machine in a fashion that Mr. Lacaze
19 was running it where you're running at high
20 temperatures --

21 There was indication that there was high
22 pressures. The pump was at a high pressure at some
23 point. That substantially reduces the life of a
24 lot of the components of the machine. When you
25 exceed the temperatures, other parts of the machine

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1 can be affected by temperatures indirectly. So it
2 may bring those to a shorter life span.

3 When you have airflow restriction on the
4 engine, you're making the engine work a lot harder
5 to do the same work. And that creates an undue
6 burden on the engine and possibly severe damage to
7 the engine if dust gets into it. But in the
8 meantime it's throwing off the air flow ratio so
9 the machine cannot function correctly.

10 You have the teeth on the mulching head that
11 should be sharpened every morning. And if they're
12 dull it takes a lot more power to do the mulching.
13 So in the video that I've seen on social media
14 where he's pushing this machine to the wood, he's
15 just tearing it up and not really doing a so-called
16 mulching practice.

17 He's running it to exceed its capacity where
18 you hear the wheel -- the drum slowing down in
19 speed and the engine laboring instead of backing up
20 and let the wheels pull up and let the engine run
21 the way it wants to run.

22 So all of these things contribute to a lot
23 these repairs that are being done.

24 The contamination in the oil for the pumps, we
25 have within the first three hours of the machine,

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1 it was brought back in to replace hoses and the
2 hydraulic system was all opened up. And the wiper
3 motor had been damaged.

4 It didn't say specifically but typically that
5 would be from letting large objects fall in front
6 of the cab and damaging the machine. And the
7 hydraulic system is a closed system, but once you
8 open it up you have the potential of debris.

9 You have the hoses from the mulching machine
10 that are sitting close to the ground. So the
11 practice of whether he wipes those off and puts
12 them in the cupular is another potential.

13 But it's apparent by what I've seen in the
14 machine, the condition of the coolers, the coolant
15 flow, just general overall condition, it's not
16 being cleaned out properly and not maintained as it
17 should be.

18 Q. Which other repairs were caused by what you contend
19 were my client's bad practices?

20 A. Well, the DEF concentration, which we talked about.
21 Contaminated DEF fluid in the tank.

22 Q. No. No. No. Those repairs were not caused by my
23 client's bad practices as you said in your report.
24 You already said turbos were replaced.

25 A. I'm saying those are possibly not, but I can't

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1 A. That just supports my other findings and my
2 opinions.

3 Q. In what way?

4 A. That there is a contaminated -- the oil is not
5 clean. There's water contamination in the
6 hydraulic fluid, and that is contributory to
7 failure of hydraulic pumps and motors.

8 Q. And did Doggett conclude that also?

9 A. I can't speak for Doggett.

10 Q. Well, you reviewed their reports. What do their
11 reports show?

12 A. So they had done a pump replacement just prior to
13 this.

14 Q. What kind of pump?

15 A. The hydraulic pump.

16 Q. Oh, this is engine oil -- excuse me -- engine
17 diesel fluid.

18 A. I'm looking at a fluid analysis, the hydraulic
19 system.

20 Q. You're looking at it where?

21 A. It's on the left side of the page. It says, "fluid
22 analysis" and down below it it says, "hydraulic
23 system."

24 Q. I thought you said it was diesel?

25 A. No. A diesel engine was the last one that had